

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 990

Introduced by Assembly Member Jones

February 27, 2009

An act to add Part 8.2 (commencing with Section 7935) to Division 5 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 990, as amended, Jones. Safety in employment: ski resorts.

Existing law specifies the requirements for obtaining a license for, and operating a passenger aerial tramway. It also requires the Division of Occupational Safety and Health within the Department of Industrial Relations to conduct inspections of aerial tramways at specified intervals.

This bill would also require the division to utilize the most current safety standards when inspecting aerial passenger tramways operated at ski resorts.

This bill would also require ski resorts to file an annual safety report with the division, post the safety plan at the resort and on the resort's Internet Web site, report to the division ~~within 24 hours~~ *on a quarterly basis any* serious injuries or fatalities *involving patrons* at the resort, and standardize safety signage and safety equipment in use at the resort.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Part 8.2 (commencing with Section 7935) is added to Division 5 of the Labor Code, to read:

PART 8.2. SKI RESORT SAFETY

7935. (a) A ski resort that operates in California shall do all of the following:

(1) Prepare an annual safety plan that conforms with the requirements of federal regulations applicable to ski resorts operating on federal property.

(2) File a copy of the annual safety plan with the division, in addition to any safety plan that is required to be filed with the United States Forest Service.

(3) Post the annual safety plan at the ski resort in a conspicuous location.

(4) Make the annual safety report available on the ski resort's Internet Web site, if one is maintained.

(5) Make the annual safety report available to a division inspector, upon demand.

~~(6) Report to the division, within 24 hours, an injury resulting in a fatality or treatment beyond basic first aid that occurred anywhere on the ski resort property, regardless of the activity that caused the injury.~~

(6) (A) *Submit to the division a quarterly report containing the following information, if known:*

(i) *A description of each injury and fatality occurring on the ski resort property that resulted from a recreational activity, such as skiing, snowboarding, and sledding, that the resort is designed to provide, and that required medical treatment other than ordinary first aid.*

(ii) *The age of each person injured or killed in an incident identified in subparagraph (A), the type of recreational activity involved, the cause of the injury or fatality, the location at the resort where the injury or fatality occurred, and the name of any facility where medical treatment was provided. The report shall not identify an injured or deceased person by name.*

(B) *The reporting requirements of this paragraph do not apply to injuries to employees or contractors of the ski resort and are*

1 *not intended to modify or abridge any reporting requirement*
2 *regarding injury to an employee or contractor.*

3 (7) Establish standardized signage used to indicate a ski area
4 boundary, hazard, or other safety information. A sufficient number
5 of safety signs shall be posted to facilitate the safe flow of skiers
6 and to warn of hazardous terrain. Signage shall be subject to
7 inspection by the division.

8 (8) Utilize standardized safety padding or other barriers for all
9 infrastructure located on or in close proximity to ski runs.

10 (b) When inspecting ski resort tramways, the division shall use
11 the most current aerial tramway safety standards.